



Board of Selectmen Meeting

Monday, January 14, 2019 7:00 PM
36 Bartlet Street, Andover, MA 01810
Selectmen's Conference Room

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TOWN OF ANDOVER, MASS

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- I. **Call to Order – 7:00 P.M.**
 - II. **Opening Ceremonies – 7:00 P.M.**
 - A. **Moment of Silence/Pledge of Allegiance**
 - III. **Communications/Announcements/Liaison Reports – 7:05 P.M.**
 - A. Recognition of Enzo Fossella
 - IV. **Citizens Petitions and Presentations – 7:10 P.M.**
 - V. **Public Hearing**
 - A. Liquor License Transfer Hearing

Board to discuss Bertucci's Restaurant, LLC submission of an application for a transfer of their all-alcoholic restaurant beverage license, as well as a change of manager to their all-alcoholic restaurant beverage license.
 - VI. **Regular Business of the Board**
 - A. AVIS 125th Anniversary – (10 minutes)

Board to recognize the 125th anniversary of AVIS (Andover Village Improvement Society) and to receive information from its president John Hess about activities planned for this milestone.
 - B. Liquor License – (15 minutes)

Board to receive and approve liquor license considerations for the following establishments:

 - a. Sonesta International Hotels Corporation has submitted an application for a change of manager to their all-alcoholic Innholder beverage license.
 - C. Columbia Gas Disaster Update – (5 minutes)

Board to receive an update on recovery efforts.
 - D. Andover School Committee Resolution – Chapter 70 Funding – (10 minutes)

Board to discuss the School Committee's resolution for a revised state aid funding formula to local school districts.
 - E. Building Naming Rights Policy Update – (20 minutes)

Board to discuss and vote on an updated policy for building naming rights.

F. Warrant Article Related to Changing Board of Selectmen to Select Board – (15 minutes)

Board to review required Warrant Article to change name from 'Board of Selectmen' to 'Select Board' and consider submitting required warrant articles.

G. Town Counsel Updates – (10 minutes)

Board to receive an update from Town Counsel on the recent case relating to secret audio recordings of law enforcement personnel and other government officials.

VII. Consent Agenda

A. Appointments by the Town Manager

That the following appointments by the Town Manager be approved:

Department	Name	Position	Rate/Term	Date of Hire
Building	Kenneth McConnell, Jr.	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	12/19/18
Building	Richard Doherty	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	12/19/18
Building	Daniel Weeder	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	12/19/18
Building	William Callahan	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	12/19/18
Building	Michael Guida	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	12/19/18
Building	Sean Gallagher	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	12/19/18
Building	Marc Albanna	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	12/19/18
Community Services - Youth Services	Nick Criniti	Seasonal	\$11.00/hour	11/9/18
Community Services – Recreation	Robert Domingue	Seasonal	\$12.00/hour	1/2/19
Community Services	Nicolas Silva	Kid Care Asst. Group Leader/On-site Director	\$12.00/hour	1/2/19
Library	Crystal Murphy	Library Aide	\$12.00/hour	1/15/19

VIII. Adjourn

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact the Town Manager's Office at 978-623-8210 or by email at manager@andoverma.gov.

MEETINGS ARE TELEVISED ON
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45

SUMMARY OF TRANSACTION
BERTUCCI'S RESTAURANT CORP.
TO
BERTUCCI'S RESTAURANT, LLC

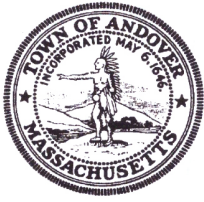
Transferor: Bertucci's Restaurant Corp.

Transferee: Bertucci's Restaurant, LLC.

Transaction: This transfer is being conducted by order of the US Bankruptcy Court. Bertucci's Restaurant Corp. and its parent and subsidiary companies entered bankruptcy on or about May of 2018. The chain has been bought through auction in the bankruptcy court by a new corporate entity owned 100% by Robert Earl, who is best known for owning Planet Hollywood and Bucco di Beppo (72 restaurants across country). His company is knowledgeable and experienced in the restaurant industry and has plans to expand and upgrade Bertucci's and its locations.

This application has been reviewed by the ABCC and given preliminary approval, pending approval by the local licensing authorities. This office has submitted an application package and the preliminary approval to 29 communities, most of which have since held a hearing and approved the transfer. Once local licensing authority approval is received by the ABCC, they issue final approval for each location, which has occurred for several locations already with more expected shortly.

There will be no changes in the operations off the Bertucci's in Andover, other than in the normal course of business. The main operating officers of the chain, and the headquarters, are still in Northborough, and the management and operations personnel are largely the same, too.



Town of Andover
BOARD OF SELECTMEN

License and Permit Application Public Hearing Questionnaire

Please be willing and able to address these questions before the Board of Selectmen during your hearing.

Liquor License Application, Renewal, Change of Designated Manager

Name	Eric E. Calhan
Address	90 Main St. Andover, MA 01810
Title	Culinary Manager
Company	Bertucci's
Are all employees who will be serving alcohol TIPS certified?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the establishment or any employees have any prior violations in terms of liquor license compliance? If yes, please describe the nature of any violations	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please describe your business and the plans that have brought you before the Board this evening.	Buck oven Pizza and Pasta Restaurant Serving the Andover Community for over twenty years
Please provide an overview of qualifications, certifications, and experience of the designated manager of the establishment.	presently Culinary Manager. I've been with the company for almost four years. I am Servsafe Alcohol Certified, Servsafe Food Certified as well as a Chokesaver Certificate

Bertucci's Restaurants, LLC MOTION

I move to approve the application of Bertucci's Restaurants, LLC, d/b/a Bertucci's, for a transfer a Wine & Malt Restaurant Alcoholic Beverage License at 90 Main Street, Andover, including a change of manager to be Eric Calhau of 746 Lake Ave., Manchester, N.H.; subject to the condition that all other requirements of the Town are met prior to issuance.

Moved by _____

Seconded by _____

Voted _____ to _____

TOWN OF ANDOVER



PUBLIC HEARING

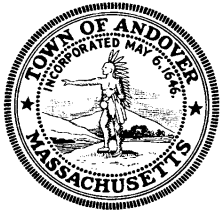
Notice is hereby given under Chapter 138 of the General Laws, as amended, that Bertucci's Restaurants, LLC, dba Bertucci's, 90 Main St., Andover, MA, has applied for a Transfer of a Wine and Malt Restaurant Alcoholic Beverage License from Bertucci's Restaurant Corp. dba., Bertucci's, 90 Main St., Andover, MA.; Eric Calhau of 746 Lake Ave., Manchester, N.H., is the proposed designated manager.

The public hearing will be held on January 14, 2019 in Conference Room A on the third floor of the Andover Town Offices, 36 Bartlet Street, Andover, Massachusetts at 7:00 p.m. in accordance with the General Laws relating thereto.

By Order of the
Board of Selectmen

Austin Simko
Town Clerk

Date of Issue: Friday, January 4, 2019



**Town of Andover
BOARD OF SELECTMEN**

License and Permit Application Public Hearing Questionnaire

Please be willing and able to address these questions before the Board of Selectmen during your hearing.

Liquor License Application, Renewal, Change of Designated Manager

Name	Carlos Flores
Address	4 Tech Drive, Andover, MA 01810
Title	President, CEO
Company	Sonesta International Hotels Corporation d/b/a Sonesta ES Suites Andover
Are all employees who will be serving alcohol TIPS certified?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does the establishment or any employees have any prior violations in terms of liquor license compliance? If yes, please describe the nature of any violations	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please describe your business and the plans that have brought you before the Board this evening.	Sonesta International Hotels Corporation d/b/a Sonesta ES Suites Andover is an extended stay hotel with alcohol beverage service for its guests. Sonesta has a new manager on site and is requesting approval of a change of designated manager application from the Board.
Please provide an overview of qualifications, certifications, and experience of the designated manager of the establishment.	Katerina Belcheva has been in the hospitality industry for 16 years. Her professional qualifications include: hotel management, revenue management, staffing/recruiting, business development, hiring/training, property management, staff supervision, payroll, AP/AR, and Property Management Systems. Education: Technical University Bulgaria-bachelor of measurement technology, Certificate on Business Management.

Sonesta International Corp.
Change of Manager

I move to approve the application of Sonesta International Hotels Corporation, d/b/a Sonesta ES Suites Andover, 4 Tech Drive, Andover, for a Change of Manager on its All Alcoholic Innholder Beverage License; the new Manager to be Katerina Belcheva of 3 Blossom Drive, Billerica, Massachusetts, subject to the condition that all other requirements of the Town are met prior to issuance of the license.

Moved by: _____

Seconded by: _____

Vote: _____ Yes
 _____ No
 _____ Abstain



ANDOVER PUBLIC SCHOOLS

36 Bartlet Street
Andover, MA 01810
(978) 247-7010

SCHOOL COMMITTEE

Shannon I. Scully, Chairperson
Paul D. Murphy, Vice Chairperson
Joel G. Blumstein, Esq.
Susan K. McCready
Tracey E. Spruce, Esq.

Sheldon H. Berman, Ed.D

Superintendent of Schools
sheldon.berman@andoverma.us

The Honorable Barry R. Finegold
Second Essex and Middlesex District
Massachusetts State House
24 Beacon Street
Boston, MA 02133

January 2, 2019

Dear Senator Finegold,

The Andover School Committee continues to face challenges providing high-quality public education with limited support from state resources. Every year we make difficult budgetary tradeoffs impacting basic activities including hiring staff, buying books and maintaining facilities. Additionally, it is increasingly difficult keeping up with the appropriate and mandated services required to educate a student population with diverse needs.

We are writing to ask for your help. Specifically, we ask that you consider public education funding – including funding recommendations of the Foundation Budget Review Commission – as a top legislative priority for 2019. Attached is a resolution passed by the Andover School Committee that formalizes this request.

This school year (FY19), Andover will receive Massachusetts Chapter 70 aid equivalent to only 12.8% of the Andover Public Schools operating budget (\$10.5 million of \$85.2 million). The state formula that determines this aid has not been significantly updated for more than 25 years, and significantly underestimates the impact of several critical cost areas including special education and health insurance. Estimates suggest that a funding model more reflective of actual cost and needs could bring Andover more than \$1.5 million in additional state assistance for our schools each year.

As you know, the Massachusetts Constitution imposes a duty to provide a public education to all children. This requires funding for public schools that cannot be adequately provided by local governments alone. We look forward to continued partnership with the state legislature in order to meet requirements for education, and we remain optimistic the 191st General Court will make important strides to improve education funding critical to the success of our students.

Thank you,

Shannon Scully
Chairperson, Andover School Committee

Enclosure: Resolution of the Andover School Committee in Support of Full Funding for Our Public Schools

CC: Sheldon Berman, Superintendent of Schools
Alex Vispoli, Chairperson, Andover Board of Selectmen

The mission of the Andover Public Schools, in partnership with the community, is to provide students with the knowledge, skills, and qualities required to be successful in a diverse society.



ANDOVER PUBLIC SCHOOLS

36 Bartlet Street
Andover, MA 01810
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Tracey E. Spruce, Esq.

Sheldon H. Berman, Ed.D

Superintendent of Schools
sheldon.berman@andoverma.us

Passed by unanimous vote on December 13, 2018

Resolution of the Andover School Committee in Support of Full Funding for Our Public Schools

WHEREAS, free public schools available to all students without exception are foundational to our democracy and are required by the state constitution; and

WHEREAS, all of our students, no matter where they live, deserve high-quality public schools that teach the whole child and provide them with a rich school experience that addresses their academic, social and emotional needs;

WHEREAS, the state's foundation budget formula, which determines state aid to each district, has been woefully out of date for years, thereby underfunding our districts by more than \$1 billion a year for essential educational services; and

WHEREAS, an updated foundation budget formula would bring Andover up to \$1,514,699 in additional state aid each year, allowing this district to move closer to providing all students with the education to which they are entitled as residents of the Commonwealth; and

WHEREAS, the Legislature failed to pass any foundation budget legislation in the last session, leaving the districts, educators and students without the funds necessary to support the schools our students deserve in every district in the state;

THEREFORE, be it resolved that the Andover School Committee urges the Legislature to approve and fully fund a new foundation budget formula.

NAMING NEW FACILITIES

Naming a Town facility is an important matter that deserves thoughtful attention. Personal prejudice or favoritism, political pressure, or temporary popularity should not be an influence in choosing a name for a building, a portion of a building, or any portion of public grounds. Whenever possible, the wishes of the community should be considered in naming town facilities.

The Board of Selectmen has the authority to approve the naming, renaming, and removal of names of buildings, structures, and facilities located on property under the care, custody, and control of the Board of Selectmen. The Board of Selectmen also has the authority to name subsections of existing structures or facilities, such as individual rooms or gathering spaces.

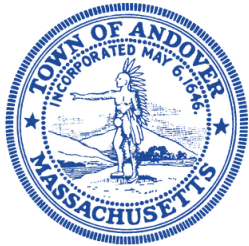
Names and/or wording associated with Town facilities shall be consistent with Town Bylaws and Board of Selectmen policies and promote values aligned with the Town of Andover's Mission and Values Statement. To the extent possible, names and/or wording should be designed not to restrict the use of a space or inhibit changing the function of the space should that become necessary in the future.

When the opportunity to name or dedicate a new town building or related property, structure or facility is forthcoming, an orderly procedure will be communicated at the next available Board of Selectman meeting. The Board's agendas should clearly reflect the intent to consider, review, and vote on naming opportunities.

Submission of a name for a Town space may be made by any resident, by a member of the Board of Selectmen, or by the Town Manager, in writing, and should be made to the Chair of the Board of Selectmen. The Board of Selectmen must also be consulted prior to the start of any capital or fundraising campaign that will include the possibility of naming opportunities.

The written request should specify the intent of the requestor and the reasons why this particular name would fit the facility. It should offer appropriate background information on the person, organization, or geographic area after which the facility will be named. An offer of a financial contribution that will benefit the Town may accompany the naming request, but the Board of Selectmen is not obligated to accept or reject a name based upon financial considerations. The Board of Selectmen may acknowledge generous donors by designating appropriate spaces within Town facilities consistent with the level of financial commitment.

Following the submission of a naming request, the Chair of the Board of Selectmen will specify a consideration period that allows for public comment, following which the Board will deliberate and vote on the name.



Andrew P. Flanagan
Town Manager

TOWN OF ANDOVER

Town Manager's Office
36 Bartlet Street
Andover, MA 01810
(978) 623-8215
www.andoverma.gov

TO: Members of the Board

FROM: Andrew P. Flanagan

RE: Change from Board of Selectmen to Select Board

DATE: January 11, 2019

I have consulted with Town Counsel about what actions need to be taken to change the name from Board of Selectmen to Select Board. In order to make that change, warrant articles should be submitted to Town Meeting to do the following:

1. Amend the Town's General Bylaws by striking the words "Board of Selectmen" wherever they appear and inserting the words "Select Board" in place thereof and striking the words "selectman" or "selectmen" and inserting the words "select board member(s)" in place thereof.
2. Amend the Town's Zoning Bylaws by striking the words "Board of Selectmen" wherever they appear and inserting the words "Select Board" in place thereof and striking the words "selectman" or "selectmen" and inserting the words "select board member(s)" in place thereof.
3. Petition the Legislature to pass a Special Act to amend the Town Charter by striking the words "Board of Selectmen" wherever they appear and inserting the words "Select Board" in place thereof, and striking the words "selectman" or "selectmen" and inserting the words "select board member(s)" in place thereof and to provide that with respect to the Town of Andover that wherever the words "Board of Selectmen" or "Selectman" appear in the Constitution, General or Special Laws of the Commonwealth of Massachusetts, that such word shall apply to the Select Board of the Town of Andover and its members.

Please let me know if there is anything else that you need.

Article ____: Change from Board of Selectmen to Selectboard

To see if the Town will vote to take the following action in order to change the title of Board of Selectmen to Selectboard:

To amend the Town's General Bylaws by striking the words "Board of Selectmen" wherever they appear and inserting the word "Selectboard" in place thereof;

or take any action related thereto.

Article ____: Change from Board of Selectmen to Selectboard

To petition the Legislature to pass a Special Act to amend the Town Charter by striking the words "Board of Selectmen" wherever they appear and inserting the word "Selectboard" in place thereof, and to provide that, with respect to the Town of Andover that wherever the words "Board of Selectmen" or "Selectman" appear in the Constitution, General or Special laws of the Commonwealth of Massachusetts, that such word shall apply to the Selectboard of the Town of Andover and its members, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition,

or take any action related thereto.

Article ____: Change from Board of Selectmen to Selectboard

To see if the Town will vote to take the following action in order to change the title of Board of Selectmen to Selectboard:

To amend the Town's Zoning Bylaws by striking the words "Board of Selectmen" wherever they appear and inserting the word "Selectboard" in place thereof;

or take any action related thereto.